

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-17 are pending in this application. Claims 1, 9, 16, and 17 are independent. Claims 3-8 were indicated to be allowable if rewritten in independent form. Claims 9-15 and 17 were indicated to be allowable.

II. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1 and 16 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,094,522 to Ito, et al. (hereinafter, merely "Ito").

Claims 1, 2, and 16 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,064,793 to Furuyama (hereinafter, merely "Furuyama").

Claim 1 recites, *inter alia*:

"evaluation means for evaluating a playback state when the coded data are played back from the editing position designated by said designation means; and

notification means for notifying a user of said editing apparatus of an evaluation result by said evaluation means..."

As understood by Applicants, Ito relates to video recording and reproducing utilizing a plurality of input/output control devices.

Applicants respectfully submit that the cited portions of Ito do not disclose evaluation means for evaluating a playback state when the coded data are played back from the

editing position designated by said designation means and notification means for notifying a user of said editing apparatus of an evaluation result by said evaluation means, as recited in claim 1.

As understood by Applicants, Furuyama relates to a reproducing apparatus having an editing function for performing editing.

Applicants respectfully submit that the cited portions of Furuyama, specifically column 10, which describes steps S204 through S214 of Figure 5 of Furuyama, and Fig. 5, which is a flow chart showing an operation in and editing mode of the camera integrated type VTR that is shown in Fig. 4, do not render claim 1 unpatentable.

Specifically, column 10 discloses displaying a cut-in timing point in a blinking manner, checking to find if an inputting operation is performed through the "register" key by the operator with the cut in point on the magnetic tape searched out and the setting action on the cut in timing point of the searched out cut in point completed.

Applicants submit that nothing has been found in Furuyama that would teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that Furuyama fails to disclose or suggest an evaluation means for evaluating a playback state when the coded data are played back from the editing position designated by said designation means and a notification means for notifying a user of said editing apparatus of an evaluation result by said evaluation means, as recited in claim 1.

Furthermore, Applicants note that the Office Action relies upon column 10 to disclose two features in an anticipatory rejection. Applicants respectfully submit that column 10 of Furuyama does not disclose both an evaluation means for evaluating a playback state when the coded data are played back from the editing position designated by said designation means

and a notification means for notifying a user of said editing apparatus of an evaluation result by said evaluation means, as recited in claim 1.

Therefore claim 1 is believed to be patentable.

Independent claim 16 is similar in scope and is patentable for similar reasons.

III. DEPENDENT CLAIM

Claim 2 in this application is dependent from independent claim 1, discussed above, and is therefore believed patentable for at least the same reasons. Since claim 2 also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability is respectfully requested.

CONCLUSION

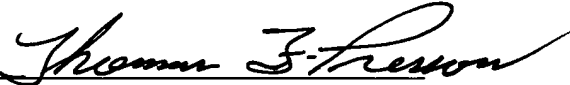
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any
overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

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